IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	pplication of:)	
		:	Examiner: G. Mesh
TATSU	JKI FUKUI ET AL.)	
		:	Group Art Unit: 1796
Int'l Ap	oplication No. PCT/JP03/13532)	
		•	Confirmation No. 4513
Appln.	No.: 10/531,226)	
		:	
Filed: October 23, 2003)	
_		:	
For:	POLYHYDROXYALKANOATE,)	
	PROCESS FOR PREPARING	:	
	THE SAME, AND RESIN)	
	COMPOSITION CONTAINING	:	
	THE)	
	POLYHYDROXYALKANOATE	:	September 5, 2008

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 **Mail Stop IF**

REQUEST FOR CONSIDERATION OF DOCUMENT IN PRIOR INFORMATION DISCLOSURE STATEMENT

Sir:

A Notice of Allowance in the above-identified application was mailed on August 25, 2008. Prior to paying the issue fee, Applicants again respectfully request consideration of the Biodegradable Plastics Handbook cited in the Information Disclosure Statement (IDS) filed on October 4, 2005.

The Examiner crossed out the citation of the Biodegradable Plastics

Handbook on Form PTO-1449 filed on October 4, 2005 (copy attached) and indicated that this document was not considered because an adequate translation was not provided.

Applicants, however, reminded the Examiner that a translation is not required in order to

have a foreign language document considered. A concise explanation of its relevance

should be sufficient to warrant consideration (37 C.F.R. § 1.98(a)(3)(i)). In that regard,

Applicants provided a concise explanation of relevance by directing the Examiner's

attention to the chemical structures in the cited excerpt from the Biodegradable Plastics

Handbook. These structures can be considered without any translation. Thus, since the

Examiner still has not confirmed such consideration in writing, the Examiner is respectfully

requested to do so as soon as possible.

Applicants' undersigned attorney may be reached in our New York office by

telephone at (212) 218-2100. All correspondence should continue to be directed to our

address given below.

Respectfully submitted,

/Jason M. Okun/

Jason M. Okun

Attorney for Applicants

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FCHS WS 2411143v1

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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary) OCT 0 4 7005			ATTY DOCKET NO. 03500.17654	APPLICATION NO. 10/531,226				
			APPLICANT Tatsuki Fukui et al.					
			FILING DATE October 23, 2003	GROUP 1711				
		E. U	S. PATENT DOCUMENTS					
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE		
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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT		
GM JP	63-184762	07/30/88	Japan			Abstract		
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<u> </u>	OTUED	DOCUMENTO	Including Author Title Date Postingst Page 51-1	1				
GM	OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.) Marie-Maud Bear et al., "Preparation of a Bacterial Polyester with Carboxy Groups in Side Chains," 4 Chemistry 289-93 (2001).							
	Biodegradable Plastic Handbook, pp. 178-97 (1995). No Tran Slott on							
X								
EXAMINER Gennadiy Mesh/		sh/	DATE CONSIDERED 01/15/2	007				

*EXAMINER: Initiality reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

PLEASE INITIAL TO CONFIRM CONSIDERATION

Sheet_1_ of _1_